

April 3, 2001

Project Management Branch

SUBJECT: Attachment 1 for Letter Dated January 11, 2001

Ms. Linda Shaw
Knauf, Koegel & Shaw LLP
183 Main Street, Suite 250
Rochester, NY 14604

Dear Ms. Shaw:

It has come to my attention that I inadvertently omitted an attachment for my letter dated January 11, 2001, which I have attached to this letter. The attachment, "Exhibit A" is also included with this letter. I apologize for any inconvenience this may cause you.

If you have any questions or require my assistance, please contact me at (716) 879-4417 or e-mail me at mary.k.foley@usace.army.mil.

Sincerely,

Mary Kay Foley, P.E.
Project Manager

Attachments

CF:
Mr. Charles Basham (CENAB-EN-HN)
USAED Baltimore District
City Crescent Building, Room 10200
10 South Howard Street
Baltimore, MD 21201

Foley:jps:4417:4/3/01_____

H:jswork:shaw2.doc

Mr. Burke Wong, Civil Division
U.S. Department of Justice
Ben Franklin Station
P.O. Box 340
Washington, D.C. 20044



DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

REPLY TO
ATTENTION OF
CELRB-ED-EE

JAN 11 2001

SUBJECT: Remedial Investigation Work Plan – Supplemental Comments on Addendum to the Work Plan for Phase I (i.e. Phase II) Remedial Investigation for the Lake Ontario Ordnance Works Component Two – Somerset Group Site

Ms. Linda Shaw
Knauf, Koegel & Shaw LLP
183 East Main Street
Suite 1250
Rochester, New York 14604

Dear Ms. Shaw:

I regret our delay in responding to your August 28, 2000 letter. The original letter is enclosed as Attachment 1. Responses to your letter are provided as Attachment 2.

I wish to specifically address your contention that USACE has violated the National Contingency Plan (NCP)(40 CFR 300). Your comments imply that the NCP mandates remedial investigation work plans are subject to public comment. There is no such requirement in the NCP. We distribute these plans internally and to the State Regulators for review as a matter of DOD Policy, and provided a courtesy copy to Mr. Syms. The final addendum to the work plan dated June 2000, included responses to all reviewer comments received during the review period. Your letter dated June 6, 2000 was received after the final work plans were published. As a matter of policy, we welcome comments and suggestions on our work products and respond as soon as possible to comments received. These responses may be delayed due to pending actions, workload, or other administrative reasons. Please note that many of the investigative actions you requested have already been included by amendment to the work plan. We therefore disagree with your allegation that USACE has violated the NCP.

The Right Of Entry (ROE) agreement does require that we provide you a copy of the work plans, consider your comments, and provide written response to suggestions not accepted relative to the work plans. The Corps has met that requirement. However, the ROE does not provide the Owner approval authority of the work plans. We therefore disagree with your allegation that USACE has violated the ROE.

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CELRB-ED-EE
MAILROOM

SUBJECT: Remedial Investigation Work Plan – Supplemental Comments on Addendum to the Work Plan for Phase I (i.e. Phase II) Remedial Investigation for the Lake Ontario Ordnance Works Component Two – Somerset Group Site

If you have any questions regarding the attached information, please do not hesitate to contact me by telephone at (716) 879-4417 or by e-mail at *mary.k.foley@usace.army.mil*.

Sincerely,

A handwritten signature in black ink that reads "M.K. Foley". The signature is written in a cursive, flowing style.

Mary Katherine Foley, P.E.
Project Manager

cf: Charles Basham, USACE Baltimore District

Attachments

1. Letter from Knauf, Koegel & Shaw dated August 28, 2000
2. USACE response to August 28, 2000 letter

EXHIBIT "A"

COMPOUNDS ASSOCIATED WITH AIR FORCE PLANT NO. 68 HIGH ENERGY FUELS PRODUCTION (Identified on site plans and as-built drawings)

Constituent	Included for Investigation in RI	Comments
Aluminum chloride	Yes (see comment)	Aluminum chloride would have likely dissociated into aluminum and chloride ion. Aluminum is included in the list of metals that are being evaluated
Aluminum hydroxide	Yes (see comment)	Aluminum hydroxide would have likely dissociated into aluminum and hydroxide ions. Aluminum is included in the list of metals that are being evaluated
Asbestos	No	It has been confirmed that asbestos is present at the site. Asbestos was used, and is still in use as a siding material for some of the buildings.
Boron	Yes	Boron is included in the list of metals that are being evaluated.
Calcium carbonate	Yes (see comment)	Calcium is included in the list of metals that are being evaluated.
Calcium chloride	Yes (see comment)	Calcium is included in the list of metals that are being evaluated.
Calcium hydroxide	Yes (see comment)	Calcium is included in the list of metals that are being evaluated.
Calcium metaborate	Yes (see comment)	Calcium and boron are included in the list of metals that are being evaluated.
Carbon	No	The USACE is collecting a subset of samples for analysis of total organic carbon. However, samples are not being collected for analysis of elemental carbon as this is not expected to present a risk.
Carbon dioxide	No	Carbon dioxide is a gas at ambient temperatures. Although it is certain that carbon dioxide is present at the site, it is not expected that the presence of this constituent would be associated with former DoD activities at the site, considering that the tanks that may have housed the gas are no longer present.
Carbon monoxide	No	Carbon monoxide is a gas at ambient temperatures. It is not expected that this gas would be present at the site from past DoD activities, considering that the tanks that may have housed the gas are no longer present and considering how long the site has been inactive.
Chlorine	No	Chlorine is a gas at ambient temperatures. It is not expected that this gas would be present at the site from past DoD activities, considering that the tanks that may have housed the gas are no longer present and considering how long the site has been inactive.
Decaborane	Yes	Boron is included in the list of metals that are being evaluated.
Diborane	No	Diborane is a pyrophoric gas. It is unlikely that this gas would be present, considering that the tanks that may have housed the gas are no longer present and considering how long the site has been inactive.
Diethyl ether	No	Diethyl ether is a highly mobile volatile liquid. It is not expected that this constituent would be present considering how

		long the site has been inactive and considering that the tanks that may have housed the gas are no longer present.
Dispersion oil	No	Although the RI is not targeting dispersion oil as a constituent of concern, other constituents that may have been found within the dispersion oil used during the activities at the plant are targeted (i.e., polynuclear aromatic hydrocarbons, benzene, toluene, ethylbenzene, xylenes, {BTEX}, etc.).
Ethyl chloride	No	Ethyl chloride is a gas at ambient temperatures. It is not expected that this constituent would be present considering how long the site has been inactive and considering that the tanks that may have housed the gas are no longer present.
Fuel Oil No. 2	No	Although fuel oil specifically is not being targeted for during the RI, potentially hazardous constituents of fuel oil are being targeted (eg., BTEX)
Hydrazine compounds	No	The USACE is not aware of hydrazine having been used or produced at AFP-68 on property that is currently owned by the Somerset Group.
Hydrogen	No	Hydrogen is a gas at ambient temperatures. It is not expected that this constituent would be present considering how long the site has been inactive and considering that the tanks that may have housed the gas are no longer present.
Hydrogen chloride	No	Hydrogen chloride would have most likely been neutralized.
Isopropyl chloride	No	Samples for collection of isopropyl chloride have not been collected because isopropyl chloride is not expected to pose a risk.
Lithium	Yes	Lithium is included in the list of metals that is being evaluated.
Lithium chloride	Yes (see comment)	Lithium is included in the list of metals that is being evaluated.
Oxygen	No	Oxygen is a gas at ambient temperatures. Although it is certain that oxygen is present at the site, it is not expected that the presence of this constituent would be associated with former DoD activities at the site, considering that the tanks that may have housed the gas are no longer present.
Pentaborane	No	Pentaborane is a pyrophoric liquid at ambient temperatures. It is not expected that this constituent would be present considering how long the site has been inactive and considering that the tanks that may have housed the liquid are no longer present.
Pentane	No	Pentane is a gas at ambient temperatures. It is not expected that this constituent would be present considering how long the site has been inactive and considering that the tanks that may have housed the gas are no longer present.
Potassium chloride	Yes	Potassium is included in the list of metals that is being evaluated.
Propane	No	Propane is a gas at ambient temperatures. It is not expected that this constituent would be present considering how long the site has been inactive and considering that the tanks that may have housed the gas are no longer present.
Silicon tetrachloride	No	Silicon tetrachloride is a fuming liquid at ambient temperatures. It is not expected that this constituent would be present considering how long the site has been inactive and considering that the tanks that may have housed the liquid are no longer present.
Sodium borohydride	Yes (see comment)	Boron and sodium are included in the list of metals that are being evaluated.